

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

David G. Clark,

Plaintiff,

v.

Coshocton Collision Center,

Defendant.

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Case No. 09-cv-382

Judge Marbley  
Magistrate Judge Abel

**CONSENT DECREE AND ORDER APPROVING FLSA SETTLEMENT**

**WHEREAS**, Plaintiff David G. Clark (“Plaintiff”) filed an action in the United States District Court for the Southern District of Ohio, Eastern Division, Case No. 09-cv-00382-ALM-MRA on or about March 13, 2009 (the “Litigation”) against the Defendant Coshocton Collision Center, (“Defendant”),

**WHEREAS**, Plaintiff and Defendant have agreed to resolve all legal claims, both asserted and unasserted, among Plaintiff, Defendant, and Defendant’s owners, without any admission of liability by either party;

**WHEREAS**, the undersigned counsel have determined and hereby represent to the Court that the settlement is a fair, reasonable, and adequate resolution of the Litigation, in light of the all the risks inherent in continued litigation;

**WHEREAS**, Plaintiff understands and agrees to the settlement terms outlined herein and desires to resolve this action under such terms described herein;

**NOW, THEREFORE, IT IS HEREBY AGREED**, that the Parties respectfully request that:

1. This Court should adopt the Confidential Agreement and Full and Final Release of all Claims (“the Agreement”) signed by the Plaintiff and the Defendant detailing the specific terms of the settlement of this action, which has been sent to the Court via electronic mail; and,

2. This Court should review Plaintiff's counsel's request for attorney fees and costs, contained within the Agreement and find that the attorney fees and costs are fair and reasonable.

Date: November 16, 2009

Signatures

/s/Christopher E. Hogan

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/s/Robert E. DeRose

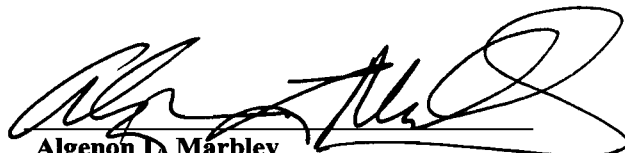
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Counsel for Defendants.

Counsel for Plaintiff.

NOW, this 17 day of November, 2009 upon consideration of the above representations of counsel and all other papers and proceedings herein, it is hereby **ORDERED** that the settlement of this action is **APPROVED**; Plaintiff's attorney fees and expenses are **APPROVED**; the Court retains jurisdiction of this matter to enforce the terms of the Agreement and that this action is **DISMISSED**.

Ordered: 17 Nov. 2009

  
Algenon L. Marbley  
UNITED STATES DISTRICT JUDGE